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Office of Legislative Liaison
Routing Slip

TO:		ACTION	INFO
1. D/OLL			X
2. DD/OLL			X
3. Admin Officer			
4. Liaison			X
5. Legislation		X	
6.			X
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SUSPENSE

30 Sept 85
Date

Action:	
Remarks:	

G. M. / 24 Sept 85
Name/Date



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

LEGISLATIVE LIAISON
85-2788

September 20, 1985

SPECIAL

LEGISLATIVE REFERRAL MEMORANDUM

TO: Department of Justice
Central Intelligence Agency
Department of Defense
National Security Council

SUBJECT: S. 1429, the "Terrorist Prosecution Act of 1985," and Department of State proposed report on S. 1429 and S. 1373, the "Protection of United States Government Personnel Act of 1985.

The Office of Management and Budget requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with Circular A-19.

Please provide us with your views no later than September 30, 1985.

Direct your questions to Gregory Jones (395-3454), of this office.


James C. Murr for
Assistant Director for
Legislative Reference

Enclosures

cc: Adrian Curtis
Karen Wilson
Russ Neely

United States Department of State



Washington, D.C. 20520

Dear Mr. Chairman:

Thank you for your letters of July 30 requesting our views on S. 1373, the "Protection of United States Government Personnel Act of 1985", and S. 1429, the "Terrorist Prosecution Act of 1985".

On July 30, two State Department Officials, Legal Adviser Abraham D. Sofaer and Ambassador Robert B. Oakley, Director of the Office for Counter-terrorism and Emergency Planning, testified before your committee's Subcommittee on Security and Terrorism on these bills. It is our understanding, based on conversations with Senator Specter's staff, that S. 1429 is essentially intended to encompass and supersede S. 1373.

Certain technical comments on the text of S. 1429 were contained in Judge Sofaer's prepared testimony, and I will not, in the interest of brevity, repeat them here. The Department witnesses also noted the possibility that certain portions of the bill might raise investigatory and prosecutorial concerns that the Department of Justice would be in a position to address. Finally, we expressed reservations over the approach in new section 2321(e) of the bill of specific mandatory allocation of responsibilities within the Executive Branch in this area. Subject to these considerations, we support and welcome S. 1429.

With best wishes,

Sincerely,

William L. Ball, III
Assistant Secretary
Legislative and Intergovernmental Affairs

The Honorable
Strom Thurmond,
Chairman,
Committee on the Judiciary,
United States Senate.